

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Newport News Division**

DEREK WHEELING BURNETT,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 4:20-cv-183
)	
BLUEFORCE, INC,)	
)	
Defendant.)	
)	

ORDER

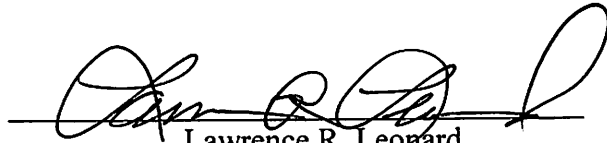
Before the Court is Plaintiff Derek Wheeling Burnett's ("Plaintiff") Motion to Compel requesting production of Defendant's initial disclosures and answers to Plaintiff's discovery requests. ECF No. 17. Defendant, Blueforce, Inc. ("Defendant") did not respond to the Motion and the time to do so has now expired. In his brief, Plaintiff alleges that they have not received any initial disclosures from the Defendant, nor have they received any substantive responses to their Requests for Production of Documents or Interrogatories. ECF No. 17 at 2. The initial disclosures were due by March 15, 2021 and responses to the discovery requests were due by April 9, 2021. Both sets of production are long overdue. Accordingly, the Plaintiff's Motion to Compel is **GRANTED**. Defendant is **ORDERED** to produce initial disclosures and responsive documents and responses to Plaintiff's Request for Production and Interrogatories **within seven days of the date of this Order**.

Plaintiff has also requested reasonable expenses incurred in bringing this motion pursuant to Fed. R. Civ. P. 37(a)(5). In light of Defendant's failure to respond to Plaintiff's Motion, Plaintiff is entitled to his reasonable expenses pursuant to Fed. R. Civ. P. 37(a)(5)(A).

Therefore, Plaintiff is hereby **DIRECTED** to submit a motion substantiating his costs and fees pursuant to the factors enumerated in *Robinson v. Equifax Info. Servs., LLC*, 560 F.3d 235, 243–44 (4th Cir. 2009), within **twenty-one days** of the date of this Order. Defendant may file a response in accordance with E.D. Va. Local Civil Rule 7(F)(1). Once the Court reviews and determines the reasonableness of Plaintiff’s costs and fees, an appropriate order shall issue.

The Clerk is **DIRECTED** to forward a copy of this Order to all counsel of record.

IT IS SO ORDERED.


Lawrence R. Leonard
United States Magistrate Judge

Newport News, Virginia
June 30, 2021